

tion has been presented asking that a committee be appointed to visit the settlement.

Minister Smith—I am in favor of a committee of the Legislature going up.

Rep. Rycroft—The Board of Health cannot refuse a committee.

Minister Smith—Who has the floor? The committee could go up with the next regular visit of the Board of Health, and I am in favor of the Legislature investigating every public institution in the Government. I think I invited a committee to visit the Insane Asylum and prison, and I would be glad to have a committee to investigate the affairs at the settlement. The conditions there are peculiar; it is a Government or a city of itself, and the Board of Health has arbitrary powers—almost equal to martial law, although it might not go so far. It would be no more than right for the members to see that those rights are not abused.

Rep. Rycroft thought the visit might be a good thing, but he would move the matter be considered later. Motion lost.

Rep. Hanuana's motion to appoint a committee of five carried.

Minister Smith—Under suspension of the rules I wish to give notice of intention to introduce a bill to regulate the hours during which children be permitted on the streets. Following is the text of the Act:

Section 1. Any child under 15 years of age who, except in case of necessity, shall go and remain on any public street or highway after 9 o'clock in the evening and before 4 o'clock in the morning, unaccompanied by an adult person, shall be punished by a fine of not more than \$5 or by imprisonment not exceeding fourteen days.

Section 2. Any parent or guardian having the care, custody and control of a child under 15 years of age who, except in case of necessity, shall knowingly and voluntarily suffer or permit such child to go and remain on any public street or highway after 9 o'clock in the evening and before 4 o'clock in the morning, unaccompanied by an adult person, shall be punished by a fine of not more than \$5 or by imprisonment not exceeding fourteen days.

Section 3. This Act shall take effect from and after the date of its publication.

Under the same suspension of rules the Attorney-General gave notice of his intention to introduce an Act to prevent injuring, distorting and deforming the feet of female children under the age of 18 years.

Under the same suspension Rep. Kamaooha gave notice of his intention to introduce a bill providing for the increase in the number of nobles and representatives from the different islands.

Under the same suspension Minister Cooper gave notice of his intention to introduce an Act entitled "An Act to define the procedure in action of condemnation under the right of eminent domain. The Minister added that several bills had been submitted to him to draft, some of them very lengthy, but his department had no money to pay for the translation of them.

Rep. Winston—if bills have merit the House will pay for the translation.

The proposed amendment to Article 63 of the Constitution of Hawaii to read: "Each law shall embrace but one subject, which shall be expressed in its title."

Minister Cooper moved that the bill pass its final reading.

After the Clerk began calling the names of members, Minister Smith interrupted, and Minister Cooper proposed an amendment inserting the words "Title of Laws" after 63 in the bill. Carried.

Bill No. 25, relating to fire limits, was taken up with report of committee recommending the elimination of all of Section 1 of the bill.

Minister Smith—The fire limit has been extended from time to time, and as the city grows it will still further be extended. Each time it has been extended there have been complaints of hardship to people owning property within the limits. But the members must remember that the law does not compel the erection of fire-proof buildings where other buildings now stand, but if improvements are made the buildings shall be made fire-proof. Like the opening of streets and other improvements where the purse is touched, complaints arise. The Government does not intend to inflict hardships on any one. The people must yield to the public welfare. A man may have a cess-pool on his premises that is injurious to the health of his family or his neighbors, and while he may be satisfied to take the risk and not have it cleaned, he must yield to the pressure and do that which is for the health of every one, even though it be an expense.

Rep. Winston—I would like to ask who is interested in this change. I have been around as one of the committee, and found no one who wanted the change made.

Minister Smith—I do not wish to imply that any member is interested in the property now taken into the limit; the Senate committee found several persons interested. A mistake was made in the Senate amendment. In the section of the city which includes King street to the streams there is a series of buildings which invite fire, and a fire in one building means extending to others in the block. It may not come for ten years; it may come tomorrow, and to protect everyone the bill should pass.

Rep. Rycroft—I am very much of the opinion of the Attorney-General, so far as buildings on the site of the old fish market are concerned. I understand the Government will expend a great deal of money in building walls there, and if poor people own that land and cannot afford expensive fire proof buildings they can lease the land and receive the revenue.

Rep. Winston—It is not the value of the land, but the cost of erecting new buildings. Land has decreased in value 50 per cent. in that section since the removal of the fishmarket.

Rep. Rycroft—Very well! When the Government makes its wharf improvements there, and I believe that is the only direction in which wharfs may be built, the value of the land will increase in proportion.

Rep. Winston—It means a freeze-out. I am not influenced by personal interests at all. If my property burns down I have money to rebuild.

Rep. Rycroft—I was not referring to you, as I was not aware that you had any property there. I am strongly in favor of including as an amendment over by the old fishmarket, and I think Rep. Kamaooha will withdraw his motion to adopt the report of the committee after he considers it.

Minister Smith moved that Section 1 pass as in the bill.

Rep. Bond said the need was not exactly clear to him. Believed in improvements, but thought the sections might be a hardship on a poor man. If his building should burn tomorrow, and he had no money to build, what would he do?

Minister Smith—The Representative must remember that the man's neighbors must have fire-proof buildings, and his property would enhance in value. Is it right to block improvements in a district because it should inflict a hardship on one man?

On motion of Rep. Kamaooha at noon consideration was postponed until 10 o'clock this morning.

Speaker Naone said report of Conference Committee on Senate Bill No. 1 was all that remained for consideration, and a discussion arose as to the right to take up the report after it had left the House. On motion of Rep. Rycroft the report was taken from the table and adopted.

Adjourned.

Fifty-fifth Day.

Wednesday, April 29.

The first item of interest in the Senate Wednesday was a communication from the House, stating that the conference report on the Appropriation bill had been accepted, thus making the bill complete to place before the President.

Senator Holstein offered a petition for a new school district and school house at Keauhou, Hawaii. Referred to Education Committee.

The Committee on Passed Bills reported the bills relating to inheritance and to estrays placed before the President.

Senator Schmidt made the following request to the Minister of the Interior: "Please state the amount of dividends which have been paid by each incorporated sugar company during the years from 1889 to 1895, inclusive."

Senator Holstein introduced a bill to amend Sections 54 and 55 of the Constitution, in order to increase the membership of the Senate from fifteen to eighteen. The amendment gives Hawaii two more Senators and Kauai one more. Referred to the Judiciary Committee.

Senator Waterhouse gave notice of a bill for the relief of Liliuokalani Ulu-kou of Kauai.

Senator McCandless introduced the following resolution:

"That the Special Committee on the Bond Act be reappointed, authorized and directed to bring in a refunding bill for not more than \$3,155,000 to take up the present outstanding bonds amounting to \$3,005,300. The new bonds to draw interest at the rate of 4 per cent. per annum, and to allow a discount of 3 per cent. and a commission of 2 per cent."

Senator Brown held that the resolution should undergo some change, as it was possible that the amount named would not be enough.

Senator Baldwin approved the general principle of the resolution, but it should allow the committee some leeway. If the resolution were accepted, Senator McCandless would do better to have a lawyer draw up his bill, and thus save the committee unnecessary work.

Let the Senator place a little wider limit in the matter of interest.

Senator McCandless said he was only trying to get the sense of the Senate. He would agree to 5 per cent. if the committee said so, but thought 4 per cent. was enough.

At this juncture Senator Brown announced that the resolution was out of order on account of the constitutional provision that such bills can be brought in only by the Executive.

Senator McCandless withdrew his resolution, with the understanding that it would be presented in a modified form on Thursday.

The Printing Committee reported copies of Senate bill No. 34, relating to fisheries.

The Committee on Public Lands reported as follows on House Bill No. 9, relating to widening Honolulu streets:

"We are satisfied that the proposed improvements are needed and should be carried out when the state of the finances will allow; but it is the opinion of your committee that the more urgent needs of the outer districts for roads and other necessary improvements should be attended to before the provisions of this Act are carried out."

The report was taken up later with the bill, which passed second reading, and was put on the order of the day Thursday for third reading.

Senate bill No. 34, on fisheries, was read the second time by title and referred to the Judiciary Committee.

Senator Holstein moved to take Senate bill No. 2, creating a port of entry at Kealahou, from the table. A rising vote showed nine to two in favor of the motion. President Wilder declared it carried.

A discussion arose as to whether the two-thirds vote required in this instance meant two-thirds of the members of the Senate or two-thirds of those present. The President held that the motion was carried, and Senator Brown appeared from the decision of the chair.

On motion of Senator Hocking the vote on the appeal was deferred to Thursday.

Adjourned.

House of Representatives.

A communication from the Senate announced the passage in third reading of House Bill No. 23, relating to legacies, bequests, etc.

Rep. Bond reported for the Finance Committee as follows:

"Your Committee on Finance, to whom was referred an Act to appropriate additional money for the purpose of

defraying expenses of the Legislature, having had the same under consideration, beg leave to report as follows:

"We find that for the fifty-two days of the session to the 27th of this month, the Senate has expended the sum of \$7,012 and the House \$5,320.

"At this rate, provided the Legislature continues in session for no more than the remaining thirty-eight days allowed by the Constitution, there will be required the further sum of \$9,021, or a total of \$21,353. The sum originally appropriated was \$15,000, showing a further requirement of \$6,353, on a rough estimate, to which must be added the expense of printing a number of departmental reports and various other matters.

"Your committee recommend the bill pass."

Rep. Bond reported for the Committee on Passed Bills that House Bills Nos. 22 and 23 had been presented to the President for consideration.

Rep. Winston reported as follows for the Committee on Commerce, to whom was referred Senate Bill No. 12, relating to licenses:

"Your Committee on Commerce, to whom was referred Senate Bill No. 12, have had the same under consideration and recommend that it pass subject to the following alterations and amendments:

"Section 16. Strike out the whole of the section and add new sections, 'Sec. 16, Sec. 16A, and 'Sec. 16B,' as follows:

Agency Business.

"Agency Business.—Section 16. The annual fee for carrying on an agency business shall be \$50.

Definition.

"Definition.—The term 'agency business,' for the purpose of this Act, shall mean the acting in pursuance of an established business or with intent to carry on such business as a means of livelihood as the agent for another or others for a commission, salary or other compensation; and shall include the buying, selling, leasing or renting of real estate or any interest therein for another, or negotiating a loan to or from another for a commission or other compensation.

Stock and Share Business.

"Stock and Share Business.—Section 16A. The annual fee for carrying on a stock and share business shall be \$100.

Definition.

"Definition.—The term 'stock and share business' shall mean the buying or selling of corporation stocks or shares for a commission or other compensation or reward.

Loan Business.

"Loan Business.—Section 16B. The annual fee for carrying on a loan business shall be \$250.

Definition.

"Definition.—The term 'loan business' for the purpose of this Act shall mean the receiving or taking of money of another and the lending or advancing the same to another or others, charging a higher rate of interest than is allowed to the depositor; or the loaning by any person of his own money or the moneys of another as a regular business or means of livelihood or as a branch of a regular business.

Awa.

"Awa.—Section 24. Add to this section 'except for exportation.'

Banking.

"Banking.—Section 35. In line 2 strike out '\$750' and insert '\$1,000.'

Barbers.

"Barbers.—Section 37. Strike out this section entirely.

Billiards.

"Billiards.—Section 38. In line 3 strike out '\$25' and insert '\$15.'

"Section 50. Strike out the words in the first line 'to butcher and sell or.' Reduce the fee to \$20 for Honolulu and \$10 for all other places.

"Add a new section as follows:

"Section 50A. The annual fee for a license to butcher or slaughter and sell beef shall be \$300 for Honolulu and \$50 for all other places.

"Section 51, line 1. Strike out the word 'such' and add after the word 'licenses' to butcher or slaughter and sell beef. Strike out the following:

"Line 10. 1. The sex of the animals."

"Line 11. 2. The age of the animals as near as can be ascertained."

"Line 14. 4. The principal color or colors of the animal."

"Line 17. 6. The ear mark or marks or other artificial marks on the animal."

"Line 19. 7. The date when the animal was sold to him." Change the numbers of the remaining subdivisions.

Pork Butcher.

"Section 53, line 1. Strike out the words 'to butcher and sell or.' Reduce the fee for Honolulu from \$40 to \$20, and from \$20 to \$10 for all other places, and add a new section, as follows:

"Section 53A. The annual fee for a license to slaughter and sell pork shall be \$100 for a license for the district of Honolulu, and \$25 for all other places.

"Section 55, line 3. Strike out \$50 and insert \$25.

"Section 72, line 2. Strike out the words 'twenty dollars' and insert 'one dollar.'

"Section 73. Strike out the word 'hotel.' Add new section.

"Section 73A. The annual fee for a license to keep a hotel or a house for providing board and lodging shall be one hundred dollars.

"Section 76. Add after the word 'hotel,' in line 2, 'house for board and lodging.'

"Section 79, line 5. Strike out the word 'over' and insert the words 'and over' after the word 'annum,' in the same line. At the end of the section add 'or where the applicant for the license has not previously held a merchandise license the fee shall be computed on the gross sales he expects to make during the succeeding twelve months.'

"Section 84. Strike out words 'carry on the business of dairying or selling' and substitute the word 'sell.' Reduce fee to six dollars per annum.

"Section 87. Strike out whole of this section.

"Section 88, line 6. Strike out 'notary public or as' and increase fee for

Honolulu from \$10 to \$50. Add new paragraph. The annual fee for a license shall be \$50 for First Judicial Circuit, and for each other Circuit \$20.

"Section 89, line 2, strike out seventy-five and insert fifteen.

"Section 101. Strike out whole section.

Tobacco, Cigars and Cigarettes.

"Section 102. Reduce fee from \$50 for Honolulu to \$20 for Honolulu."

Rep. Hanuana presented a petition from residents of Kamaooha, on Nuuanu stream, asking that something be done for them in the matter of continuing the work already begun by the Government. As matters stood now, the work had been stopped and the waters from the late rains dammed up, overflowing the property in the vicinity.

Rep. Kamaooha recommended a temporary appropriation of \$2,000. He had been to see the Superintendent of Public Works and had found him in favor of such action. The work had been discontinued on account of the lack of funds. The petition was referred to the Committee on Public Lands.

Rep. Kamaooha presented another petition, this one from Ke Au Hou, in the district of Kona, Hawaii, asking that an English school be established at that place. As matters stood, some forty-five children were forced to walk a long distance over lava in order to get to school. There was at present a large stone building in Ke Au Hou which could be used for a school building. A teacher was the only requirement. Referred to the Committee on Education.

Minister Damon introduced a bill prohibiting the deforming, maiming or injuring the feet of girls under 18 years of age, by means of binding. Passed first reading and referred to the Printing Committee.

Speaker Naone announced the following select committee to visit the leper settlement at Kalaupapa, Molokai: Reps. Kamaooha, Hanuana, Winston, Haia and Bond.

Senate Bill No. 25, relating to fire limits, was taken up.

Rep. Kamaooha was in favor of delaying consideration of the bill until the arrival of certain absent members. They should be given a chance to express their thoughts.

Rep. Hanuana said that the time for the close of the legislative proceedings was fast approaching. The House could not afford to waste any more time. It was not the place of the bills to wait on the Representatives—it was their place to wait on the bills.

A substitute section sent in by the Superintendent of Public Works was handed in (not introduced) by Rep. Winston.

Rep. Robertson said that in case the substitute section was introduced by Mr. Rowell it was clearly out of order.

Rep. Bond said that there might be some good points in the substitute section, and asked that it be read, whereupon Rep. Winston handed to him the type-written copy of the same.

Rep. Bond did not want it, and the game of "button, button—who's got the button?" was begun. Rep. McBryde shouldering the responsibility of proposing the substitute.

After reading the same, Attorney General Smith suggested that the introducer should have read his substitute section before introducing it, since by the provisions of the same the fire limits were still further narrowed.

Rep. McBryde removed his objectionable piece of paper.

Rep. Kamaooha was in favor of postponing consideration of the bill in order to get more light on the subject.

Rep. Bond favored referring the matter back again to the committee.

Section 1 passed as in the bill. Section 2 passed with amendments. The bill passed second reading. Ordered typewritten and read third time on Saturday.

Senate Bill No. 33, providing money for additional expenses of the Legislature, passed third reading, with Rep. Winston voting against it.

Rep. Winston moved that consideration of Senate Bill No. 12, relating to licenses, be postponed until Thursday. Carried.

Under suspension of rules Rep. Robertson announced his intention to introduce a bill amending Chapter 68 of the Judiciary Act, relating to appeals. House adjourned at 11:50 a. m.

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